



Docket No. 60188-415

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Takenobu KISHIDA et al. :
Serial No.: 10/036,388 : Group Art Unit: 2814
Filed: January 7, 2002 : Examiner: Phat X. CAO
For: SEMICONDUCTOR DEVICE AND METHOD FOR FABRICATING THE
SAME

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Restriction Requirement
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

Noting the Office Action of April 16, 2003 wherein restriction has been required, Applicants submit herewith a Preliminary Amendment which cancels claims 1-18 and submits for consideration claims 19-36, of which claims 19-30 are directed to a semiconductor device and claims 31-36 are directed to a method of manufacturing the semiconductor device. As set forth in the Preliminary Amendment, claims 19-30 are intended to more specifically claim the subject matter set forth in original claims 1-9.

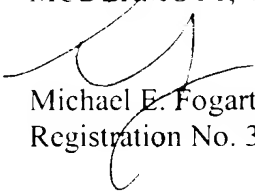
In addition, in response to the pending restriction requirement, Applicants hereby elect claims 19-30, directed to a semiconductor device, for prosecution on the merits in the instant application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this

paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



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Date: June 11, 2003



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PRELIMINARY AMENDMENT

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Prior to examination of the above-referenced application, please amend the
application as follows:

06/19/2003 AWISE1 00000011 500417 10036388
01 FD:1251 110.00 DN

IN THE CLAIMS:

Please cancel claims 1-18, without prejudice, and add new claims 19-36 as
follows:

19. (New) A semiconductor device comprising:
- an insulating film formed on a semiconductor substrate;
 - a lower interconnect formed in the insulating film;
 - a via hole formed on the lower interconnect and in the insulating film;
 - an interconnect groove formed in an upper region of the via hole and in the